

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 11, 2022

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SUNSERRA AT CRESENT BAR
HOMEOWNERS ASSOCIATION, a

Washington non-profit corporation,

Plaintiffs,

v.

CONTINENTAL WESTERN
INSURANCE COMPANY, an Iowa
company; PHILADELPHIA INDEMNITY
INSURANCE COMPANY, a
Pennsylvania company,

Defendants.

No. 2:21-CV-00321-SAB

**ORDER DISMISSING CROSS-
CLAIMS**

Before the Court is the parties' Stipulated Motion to Dismiss Cross Claims, ECF No. 22. The parties stipulate and request the Court dismiss the cross-claims between Defendants Continental Western Insurance Company ("CWIC") and Philadelphia Indemnity Insurance Company ("Philadelphia"), with each party bearing its own fees and costs. Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) and the joint wishes of the parties, the Court finds good cause to grant the motion and dismiss the requested claims.

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ORDER DISMISSING CROSS-CLAIMS # 1

Accordingly, **IT IS HEREBY ORDERED:**

1. The parties' Stipulated Motion to Dismiss Cross Claims, ECF No. 22, is **GRANTED**.

2. Defendant CWIC's Cross-Claims at ¶ 3.2 (request for a declaration regarding investigative costs) and at ¶¶ 4.2, 4.5 (claims for equitable contribution and/or unjust enrichment) are **DISMISSED with prejudice**.

3. All remaining cross-claims between CWIC and Philadelphia are **DISMISSED without prejudice**.

IT IS SO ORDERED. The District Court Clerk is hereby directed to file this Order and provide copies to counsel.

DATED this 11th day of April 2022.



A handwritten signature in blue ink that reads "Stanley A. Bastian". The signature is fluid and cursive, with a horizontal line drawn underneath it.

Stanley A. Bastian
Chief United States District Judge